Action against corrupt officers

4236. SHRI PARMESHWARKUMAR AGARWALLA: Will the PRIME MINISTER be pleased to state:

(a) whether Government's attention has been drawn to the news-item captioned "SC says forfeit corrupt officers property" appearing in the Times of India dated the 18th May, 2001;

(b) if so, the details thereof; and

(c) Government's reaction thereto?

THE MINISTER OF STATE IN THE DEPARTMENT OF PERSON NEL AND TRAINING OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) and (b) In the news-item, the Supreme Court has observed that several punishments, including forfeiture of property, were provided under Section 61 and 62 of the Indian Penal Code (IPC). However, these Sections were deleted by Indian Penal Code (Amendment) Act, 1921. The Apex Court has felt the need to re-introduce these provisions so as to have a deterrent effect on those bent upon accumulating wealth by misusing their post of power.

(c) Though the provisions of this Sections have been repealed in 1921, the Criminal Law Amendment Ordinance 38 of 1944 provides for attachment of properties of the public servant who is accused of corruption. This can be done at the stage of trial of the concerned public servant thus ensuring mat during the pendency of the case, the concerned property is not disposed of. However, confiscation or forfeiture can take place only when the public servant has been convicted of corruption and amassing assets disproportionate to his known sources of income.

Criteria for inclusion of names of CVC'S Lists

4237. SHRI RAJU PARMAR:
SHRI BHAGATRAM MANHAR:

Will the PRIME MINISTER be pleased to state:

(a) the criteria on the basis of which the names of officers have been included in 'List A' and 'ListB' of the Central Vigilance Commission as shown on their website;

(b) whether it is a fact mat the names of many officers who fulfil the criteria for being included in lists have, not been included,

(c) if so, the details thereof and the reasons therefor,